

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION**

**DEWAYNE WHITFIELD,  
ADC #149072**

**PLAINTIFF**

**V.**

**CASE NO. 3:20-CV-75-JM-BD**

**FLOSSIE LANE and  
TERRY MAPES**

**DEFENDANTS**

**RECOMMENDED DISPOSITION**

**I. Procedure for Filing Objections:**

This Recommendation for dismissal has been sent to Judge James M. Moody Jr. Mr. Whitfield may file written objections if he disagrees with the findings or conclusions set out in the Recommendation. If objections are filed, they should be specific and should include the factual or legal basis for the objection.

To be considered, objections must be received in the office of the Court Clerk within 14 days. If no objections are filed, Judge Moody can adopt this Recommendation without independently reviewing the record. By not objecting, Mr. Whitfield may waive any right to appeal questions of fact.

**II. Discussion:**

On March 2, 2020, Dewayne Whitfield, an inmate in the Northeast Arkansas Community Correction Center, filed this lawsuit without the help of a lawyer under 42 U.S.C. § 1983. (Doc. No. 2) Although Mr. Whitfield filed a state-court *in forma pauperis* (IFP) application, that application does not include information required by the federal courts under the Prison Litigation Reform Act. (Doc. No. 1)

The Court denied Mr. Whitfield's motion to proceed IFP because of the missing information and instructed him to file a complete IFP application or pay a \$400 fee within thirty days of March 3, 2020. (Doc. No. 3) The Court specifically cautioned Mr. Whitfield that his claims could be dismissed, without prejudice, if he failed to satisfy the filing fee requirement within the time allowed.

As of this date, Mr. Whitfield has not filed a complete IFP application or paid the filing fee. The time allowed for Mr. Whitfield to respond to the Court's March 3 Order has expired.

**III. Conclusion:**

The Court recommends that Mr. Whitfield's claims be DISMISSED, without prejudice, based on his failure to comply with the Court's March 3, 2020 Order and his failure to prosecute this lawsuit.

DATED this 16th day of July, 2020.

  
UNITED STATES MAGISTRATE JUDGE